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6 UNITED STATES DISTRICT COURT
7 FOR THE CENTRAL DISTRICT OF CALIFORNIA
8 WESTERN DIVISION
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10 LA CUNA DE AZTLAN SACRED SITES
11 PROTECTION CIRCLE ADVISORY
12 COMMITTEE, *et al.*,

13 Plaintiffs,

14 v.

15 U.S. DEPARTMENT OF THE
16 INTERIOR, *et al.*,

17 Defendants.
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No. 2:11-CV-04466-JAK-OP

ORDER DISMISSING ACTION
WITHOUT PREJUDICE

JS-6

Date: N/A

Time: N/A

Courtroom No. 750, Roybal Courthouse

Hon. John A. Kronstadt

1 Upon consideration of the parties' Joint Status Report of September 30, 2013, ECF
2 No. 136, it is hereby Ordered that

- 3 1. This action is dismissed without prejudice. Therefore, this proceeding does
4 not have preclusive effect as to a future proceeding that seeks to challenge
5 future administrative decisions arising from the Plan of Development
6 ("POD") Supplement (March 13, 2013) or similar bases for administrative
7 decisions with respect to the Blythe Solar Power Project (the "Project").
8 2. No costs shall be taxed pursuant to Federal Rule of Civil Procedure 41(d) as
9 a result of this dismissal.
10 3. A consideration, pursuant to 28 U.S.C. § 2401 (a), of the timeliness of the
11 filing of any future challenge brought by Plaintiff in connection with
12 administrative actions related to the Project, shall take into account that the
13 Court has ordered this dismissal due to the changes to the Project, which
14 have occurred since the commencement of this action, and the incomplete
15 administrative decision-making with respect to such proposed changes.

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18 IT IS SO ORDERED.

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21 DATED: October 29, 2013

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23 _____
24 JOHN A. KRONSTADT
25 UNITED STATES DISTRICT JUDGE
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